

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

FEB 15 2005

In Re Application of:)

Gregory V. Hofer et al.)

Serial No.: 10/002,702)

Filed: October 30, 2001)

For: A METHOD AND APPARATUS)
FOR AUTO-FOCUS CONTROL)
IN THE PRESENCE OF)
ARTIFICIAL ILLUMINATION)

Group Art Unit: 2612

Examiner: Vieaux, Gary

Atty. Docket: 100110425-1

RESPONSE TO OFFICE ACTION MAILED NOVEMBER 17, 2004Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop: Amendment

Dear Sir:

In response to the Office Action mailed on November 17, 2004, the applicants respond as follows:

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 8 of this paper.

HP Docket No. 100110425-1

BEST AVAILABLE COPY

KLAAS, LAW, O'MEARA & MALKIN, P.C.
ATTORNEYS & COUNSELORS

WILLIAM P. O'MEARA
JAY K. MALKIN
MICHAEL A. GOODWIN
NELLIE C. KAUFMAN
GUY K. CLINGER
ROBERT W. NELSON
JOSEPH J. KELLY (OF COUNSEL)
BRUCE G. KLAAS (OF COUNSEL)
RICHARD D. LAW (1919-1981)

1099 BROADWAY, SUITE 2225
DENVER, COLORADO 80202
TELEPHONE (303) 298-9888
FACSIMILE (303) 297-2266
E-MAIL: KLAASLAW@WORLDNET.ATT.NET

RECEIVED
CENTRAL FAX CENTER

FEB 15 2005

PATENTS
TRADEMARKS
COPYRIGHTS
LICENSES
TRADE SECRETS
UNFAIR COMPETITION
INFRINGEMENTS
SEARCHES

DATE: February 15, 2005

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: United States Patent Office FAX NO.: (703) 872-9306

LOCATION: United States Patent Office

FROM: Robert W. Nelson, Esq. - KLAAS, LAW, O'MEARA & MALKIN, P.C.

RE: U.S. Patent Application Serial No. 10/002,702
Response
Examiner: Gary Vieaux
Our Ref.: HP-886
HP Ref.: 100110425-1

TOTAL NO. OF PAGES (Including Transmittal Sheet) -17-

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL IMMEDIATELY.

OFFICE: (303) 298-9888

FAX: (303) 297-2266

COMMENTS: Please find enclosed Transmittal (in duplicate), Response (14pages)
and Fax Cover Sheet.

CONFIDENTIALITY NOTICE

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message solely to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately via telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

BEST AVAILABLE COPY

ATTORNEY DOCKET NO. 100110425-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Gregory V. Hofer

Confirmation No.: 2749

Application No.: 10/002,702

Examiner: Gary Vieaux

Filing Date: Oct. 30, 2001

Group Art Unit: 2612

Title: A METHOD AND APPARATUS FOR AUTO-FOCUS CONTROL IN THE PRESENCE OF
ARTIFICIAL ILLUMINATION

Mail Stop Amendment
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

RECEIVED
CENTRAL FAX CENTER

FEB 15 2005

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	27	MINUS	35	= 0	X \$50	\$ 0
INDEP. CLAIMS	6	MINUS	7	= 0	X \$200	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	1ST MONTH \$120.00	2ND MONTH \$450.00	3RD MONTH \$1020.00	4TH MONTH \$1590.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Gregory V. Hofer

(X) I hereby certify that this paper is being transmitted
to the Patent and Trademark Office facsimile
number (703) 872-8306 on Feb. 15, 2005.
Number of pages: 17

By Robert W. Nelson

Typed Name: Katelyn Black

Robert W. Nelson, Esq.

Signature: Katelyn Black

Attorney/Agent for Applicant(s)
Reg. No. 37,898

Date: Feb. 15, 2005

Telephone No.: (303) 298-9888

BEST AVAILABLE COPY

Intellectual Property Administration
P. O. Box 272400
Fort Collins, Colorado 80527-2400

ATTORNEY DOCKET NO. 100110425-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Gregory V. Hofer

Confirmation No.: 2749

Application No.: 10/002,702

Examiner: Gary Vieaux

Filing Date: Oct. 30, 2001

Group Art Unit: 2612

Title: A METHOD AND APPARATUS FOR AUTO-FOCUS CONTROL IN THE PRESENCE OF
ARTIFICIAL ILLUMINATION

Mail Stop Amendment
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	27	MINUS	35	= 0	X \$50	\$ 0
INDEP. CLAIMS	6	MINUS	7	= 0	X \$200	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	1ST MONTH \$120.00	2ND MONTH \$450.00	3RD MONTH \$1020.00	4TH MONTH \$1590.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Gregory V. Hofer

(X) I hereby certify that this paper is being transmitted
to the Patent and Trademark Office facsimile
number (703) 872-9306 on Feb. 15, 2005
Number of pages: 17

By Robert W. Nelson

Typed Name: Kalya Black

Robert W. Nelson, Esq.

Signature: Kalya Black

Attorney/Agent for Applicant(s)
Reg. No. 37,898

Date: Feb. 15, 2005

Telephone No.: (303) 298-9888

BEST AVAILABLE COPY